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**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
January 12, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday January 12, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz. Manager Tony Goetzfried was absent. Also present were Engineer Ronald W. Manchester, Toman Engineering and Tom Doering, Morton County Emergency Management.

The minutes of the meeting of December 8, 2016, were presented. Manager Benz moved to approve the minutes and Chairman Robinson provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

The 90% SWIF Plan was submitted. The Final Plan is due to be submitted on March 22, 2017.

On Monday January 9, 2017, a Corps of Engineers Web-meeting was held. The potential for spring flooding was discussed and participants were allowed to ask questions. The next meeting will be held on February 6, 2017. A flood outlook will be out on February 16, 2017.

Kevin Levi from the North Dakota State Department of Transportation was contacted about the culverts going under the I-94 Business Loop West of Mandan. They do not have a problem with our plugging them, but would like the shear gates, flap gates and head walls removed.

The North Dakota State Water Commission has decided we do not have to apply for a new permit to construct our Drainage Structure Replacement Project.

The annual Heart Butte Dam meeting will be held on February 8, 2017. Engineer Manchester and Manager Benz will be attending. Tom Doering mentioned he will be going and we might all share the ride.

The ad for renting the Lower Heart farmland and the lease were reviewed with the Board. They suggested some changes and instructed Engineer Manchester to have Attorney Malcolm Brown review them. Bids for the rental land will be opened at the February meeting.

Engineer Manchester was also to ask to call Attorney Brown about the trailers that are encroaching on Lower Heart easements. Manager Benz said he called him around the Christmas holidays and left him a message.

Engineer Manchester will call Don Moses regarding the 15 ft. easement requirement and if concrete can remain or must it be removed when the toe of the railroad embankment is repaired. Engineer Manchester will prepare a drawing showing the easement in relation to the existing buildings.

Allen Schlag will be contacted and asked to attend the February meeting to talk about the flood outlook.

Other Business

Chairman Robinson informed the Board that Michael Gunsch from Houston Engineering will be submitting an application to the North Dakota State Water Commission for funding the Levee Project for Recertification. The Chairman also advised HDR Engineering will attend our February meeting.

The Board discussed the wages for part-time personnel, if needed, during a potential flood. The Board discussed an hourly wage of \$15.00 per hour. It was then moved by Manager Benz that the wages of \$15.00 per hour would be paid to part-time personnel, a second was provided by Chairman Robinson, with all members voting "aye", the motion passed. Manager Benz was concerned about where we would find part-time personnel and Engineer Manchester advised that he would call Steiningers to see if they would be interested.

Chairman Robinson presented the financial report for the period December 1, 2016, to December 31, 2016, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report seconded by Chairman Robinson, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

Auto Starion Financial	180.00(Dep Payroll Taxes
8201 Toman Engineering Company	700.00(Retainer, Jan 2017
8202 Toman Engineering Company	6,955.00(Eng Fees, Levee work
8203 TECO Associates	100.00(Ofc Rent
8204 Morton County Treasurer	864.38(Special Assessments
8205 ND Water Res Dists Assn	475.00(2017 Dues
8206 Tri-Energy Cooperative	237.13(LP Gas
8207 State Tax Commissioner	35.00(Pay State Taxes
8208 City of Mandan	159.96(Fuel

8209 City of Mandan 67.10(Water to Shop
Auto Montana-Dakota Utilities Co 408.88(Utilities

Total: 10,182.45

With no further business to come before the Board, upon a motion duly made by Manager Benz and seconded by Chairman Robinson, all present voting "aye", the Board meeting adjourned at 4:15 p.m.

Chairman

Secretary

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**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
February 9, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday February 9, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present was Engineer Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management and Morton County Commissioner, Andy Zachmeier

The minutes of the meeting of January 12, 2017, were presented. Manager Benz moved to approve the minutes, Manager Goetzfried provided a second, all present voted "aye" and the motion was approved.

Engineer Manchester reported on the following items:

The 90% SWIF Plan was submitted. The final plan is due to be submitted on March 22, 2017. Chairman Robinson brought a January 27, 2017 e-mail that he and Engineer Manchester received from the Corps of Engineers about the Plan. Both Chairman Robinson and Manager Benz told Engineer Manchester that what was submitted was not 90% complete according to the Corp's e-mail and the District is paying for something that was not delivered. The Board has a concern that the SWIF Plan will not be approved and they will be dropped from eligibility for the Corps of Engineers Levee Repair Program. Engineer Manchester told the Board the SWIF Plan will be approved and they will not be dropped from the Program. He also told the Board he will complete the SWIF Plan and there will be no further invoices for the work until the Plan is approved. At that time he will discuss a final payment with the Board. The Board requested to see a copy of the final plan at the March meeting.

Engineer Manchester informed the Board that two bids were received for the Lower Heart River Water Resource District's farmland. Mr. Jerry Kist submitted a bid in the amount of \$4,346.25 and Mr. Dean Gerving submitted bid in the amount of \$6,084.00. Manager Geotzfried moved to award the bid to Mr. Gerving, Manager Benz provided a second, all present voted "aye" and the motion was approved.

Mr. Dennis Reap from HDR Engineering entered the meeting at this time. He discussed two Tasks that he was asked to provide costs for: Task Order #1, Lower Heart River Levee System O&M Manual Updated at \$131,195.00, Task Order #2, Lower Heart River Levee System Section 408 Permit. This Task refers to the

removal of the BNSF Railroad Embankment as part of the Levee System. The cost of Task #2 is estimated at \$371,265.00. Chairman Robinson noted that Task Order #1 is a project that the Board could financially undertake, however, funding for Task #2 will need to be reviewed before this Task can be undertaken. Manager Benz made motion to move forward with Task Order #1, the O & M Update this year, Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

Mike Gunsch and C. Gregg Thielman from Houston Engineering joined the meeting. Mr. Gunsch discussed Houston Engineering's strategy for moving the Recertification of the Levee Project forward. He advised Houston Engineering will prepare an Application for Funding to the North Dakota State Water Commission. Mr. Gunsch asked for copies of the Final Bolton-Menk Report and the Model that Bolton-Menk used. Engineer Manchester will provide the information needed to Mr. Gunsch.

Mr. Allen Schlag from the National Weather Service reported on the potential for flooding in the Heart River areas. Mr. Schlag explained that February will be a much warmer month. He advised that the huge blanket of snow that fell earlier had insulated the ground from frost and it is anticipated that much of the snow melt will go into the ground. He also explained that the snow is dry and it will take some warm days to get the snow in a condition to melt. He indicated that because of these two factors we should not expect run-off in the Heart River areas at the present time and with the present situation there is not a big concern about the Heart River flooding. There will be the potential for ice jams that we may need to watch. The spring melt is the key to whether or not flooding on the Heart River will occur. He advised that the next official Hydrologic Outlook is scheduled for February 16, 2017.

Engineer Manchester attended the Corps of Engineers web-meeting. The Corps indicated the flooding on the Cannonball and Knife Rivers is likely. They did not mention anything about the Heart River. Engineer Manchester asked the Corps to comment on the flood potential on the Heart River and they advised that they did not see a large potential for flooding on the Heart River.

Engineer Manchester and Manager Benz attended the Heart Butte Dam Emergency Action Plan (EAP) meeting. The leakage through the dam has not been repaired, the leakage is not seen as serious at this time and is not planned for a repair until 2019.

The Board would like Attorney Malcolm Brown to attend the March 9, 2017 Lower Heart meeting and provide an update on the Quiet Title Action he is pursuing on the Interior Drainage property. The Board is wondering with two mobile homes empty why the Williamsons' are not removing the trailers.

Chairman Robinson asked Engineer Manchester to send him the lot numbers for the four mobile homes.

Engineer Manchester did speak to Ron Steininger Sr., about working for \$15.00 per hour to watch tractors and pumps if there will be flooding in the spring. Mr. Steininger advised they could do that if needed.

Engineer Manchester would like to move the May meeting to May 18, 2017 as he would like to attend an anniversary celebration in California and needs to make travel arrangements. The Board agreed to change the meeting date.

Other Business

Manager Benz informed the Board that he would be purchasing Tordon and Plateau chemicals for weed control in March through the Department of the Morton County Weed Control.

Chairman Robinson presented the financial report for the period January 1, 2017 to January 31, 2017, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, Manager Goetzfried provided a second, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

CC Warren Locks	163.90	(Keys and padlocks)
Auto Starion Financial	180.00	(Dep Payroll Taxes)
8210 Toman Engineering Company	700.00	(Retainer, Feb 2017)
8211 TECO Associates	100.00	(Ofc Rent)
8212 Toman Engineering Company	7,345.75	(Eng Fees, Levee work)
8213 Mariann L. Lang	49.00	(Stamps)
8214 City of Mandan	71.99	(Fuel)
CC Bobcat of Mandan	628.14	(Service & Maint)
Auto Montana-Dakota Utilities Co	<u>311.51</u>	(Utilities)
Total:	9,550.29	

With no further business to come before the Board, upon a motion duly made by Manager Benz, seconded by Manager Goetzfried, all present voting "aye", the Board meeting adjourned at 4:45 p.m.

Chairman

Secretary

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**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
March 9, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, March 9, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Engineer Ronald W. Manchester, Toman Engineering and Tom Doering, Morton County Emergency Management and Morton County Commissioner, Andy Zachmeier

The minutes of the regular meeting of February 9, 2017, were presented. Manager Benz moved to approve the minutes, Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

Century Link has submitted a plan to install underground telecommunication cable west of Mandan in the right-of-way of the I-94 Business Loop and the Sunny Unit of the Levee System. The plan was reviewed by the members of the Board and there were no objections or corrections to the plan. Engineer Manchester will forward a copy of the plan to the Corps of Engineers.

The Plans and Specification for the replacement of an existing outfall line with a larger line and a new sluice gate and the replacement of a sluice gate in one of the other existing structures were reviewed by the members of the Board. The Board decided that at this time the District will only replace the leaking sluice gate. Engineer Manchester will revise the plans.

Mr. Dean Gerving attended the meeting and they reviewed the Land Lease Agreement. After discussion Chairman Robinson and Mr. Gerving signed the Land Lease Agreement. Mr. Gerving was instructed not to farm any closer than 15' to 20' of the toe of the Levee System to allow for the growth of grass in that area. He was also advised that machinery and hay bales are to be removed after the farming season.

Engineer Manchester contacted Attorney Malcolm Brown and was advised that he was attending another meeting. The last discussion Chairman Robinson had with Attorney Brown was during the sale of the four trailers. Chairman Robinson will talk with Jim Neubauer of the City of Mandan regarding this matter.

Manager Benz reviewed the letter that will be sent to all the property owners along the BNSF embankment with regard to the flood protective system. The letters will be sent out shortly.

Engineer Manchester then reviewed the SWIF Plan with the Board with regard to costs and completion dates in the Schedule and Milestone Section of the Plan.

Chairman Robinson presented the financial report for the period February 1, 2017, to February 28, 2017, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, a second was provided by Manager Goetzfried, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

8215 William Robinson	277.05(Mtgs
8216 Gary Benz	369.40(Mtgs
8217 Tony Goetzfried	184.70(Mtgs
8218 Shirley N. Beechi	538.36(Sal Jan Feb Mar 17
8219 Mariann L. Lang	551.45(Sal Jan Feb Mar 17
8220 Gary Benz	3,750.00(Cont Fee Jan Feb Mar 17
8221 Toman Engineering Company	700.00(Retainer, Mar 2017
8222 TECO Associates	100.00(Ofc Rent
8223 Toman Engineering Company	5,275.50(Eng Fees, Levee work
8224 Crowley Fleck PLLP	150.00(Atty Fees
8225 U.S. Postal Service	112.00(Post Office Box Rent
8226 Tri-Energy Cooperative	3.61(Fuel
8227 City of Mandan	40.76(Fuel
Auto Starion Financial	133.07(Dep Payroll Taxes
CC U.S. Postal Service	19.20(Certified Mail
Auto Montana-Dakota Utilities	311.10(Utilities
Total:	<u>\$12,677.67</u>

With no further business to come before the Board, upon a motion duly made by Manager Benz and seconded by Manager Goetzfried, all present voting "aye", the Board meeting adjourned at 4:30 p.m.

Chairman

Secretary

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**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
April 13, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County met in regular session at 2:00 o'clock p.m., on Thursday the 13th day of April 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present was Engineer Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management and Andy Zachmeier, Morton County Commissioner.

The minutes of the regular meeting of March 9, 2017, were presented. Manager Benz moved to approve and Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

The 2016 Continuing Eligibility Inspection (CEI) was received from the Corps of Engineers and all three units are now in some form of "Active Status". Chairman Robinson forwarded a copy of the 2016 CEI to Dennis Reep at HDR Engineering.

The gate structure project will be advertised and bids will be opened at the May 18, 2017, meeting. Chairman Robinson asked Engineer Manchester to verify the status with a representative of the State Water Commission that the grant funds are available.

Attorney Malcolm Brown will be attending the May meeting to update the Board on the Quiet Title Action on the mobile homes that are presently encroaching on the Interior Drainage System on Third Street Southeast.

Engineer Manchester reviewed Randy Rhone's building plan. He is asking permission from the Board to build on a portion of the Railroad Embankment Easement. The Board reviewed the plan and denied his request. As a result, he will be required to reduce the size of his building.

There are culverts on the property owned by the District and Manager Benz would like to abandon these culverts this summer. Engineer Manchester will discuss an abandonment plan with the Corps of Engineers.

The Final SWIF Plan was submitted and the Corps of Engineers have submitted additional comments that Engineer Manchester will be working on.

At 3:00 p.m., Mr. Mike Gunsch from Houston Engineering joined the meeting. Mr. Gunsch reviewed Task Order #1 which is the engineering costs to prepare the ND State Water Commission Grant Application. Task Order #1 is broken down into five (5) phases and will cost \$73,100. Manager Benz moved to approve moving forward with Phases 001 and 002, Manager Goetzfried provided a second, all present voted "aye" and the motion passed. Phases 003, 004 and 005 will be funded at a later date. A copy of Task Order #1 is attached to the minutes.

Installing a post and cable gate at the levee crossover at Scott Johnson's property was discussed. Manager Benz reviewed the situation and agreed to the installations as people are going in and out of the property at that location.

The Board is looking at some caulking work that should be done at the mill wall and it was decided that Manger Benz would visit a representative at Dakota Caulking.

Manager Benz informed the Board that it has been difficult to rent a tractor as there are no available tractors at the present time. He advised that we need a tractor with 42" wheel base because we change the tires before we use the tractor.

Chairman Robinson presented the financial report for the period March 1, 2017 to March 31, 2017, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, a second was provided by Manger Goetzfried, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

CC	NAPA	114.72	(hoses for skidster
CC	Northwest Pipe, Inc	156.00	(Bentonite chips
Auto	Starion Financial	180.00	(Dep Payroll Taxes
CC	Runnings	43.97	(Oil & chains-chain saw
CC	Mandan Tire Center	42.16	(Rpr truck tire
8228	Toman Engineering Company	700.00	(Retainer, Apr 2017
8229	TECO Associates	100.00	(Ofc Rent
8230	Toman Engineering Company	4,790.00	(Eng Fees, Levee work
8231	City of Mandan	72.72	(Fuel
8232	City of Mandan	45.25	(Water to Shop
8233	State Tax Commissioner	35.00	(Pay State Taxes
CC	Bobcat of Mandan	340.00	(Rent Skidsteer-clean levee
Auto	Montana-Dakota Utilities Co	227.18	(Utilities

Total: 6,847.00

With no further business to come before the Board, upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting "aye", the Board meeting adjourned at 4:10 p.m.

Chairman

Secretary

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**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
May 18, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, May 18, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Harvey Schneider, Toman Engineering, Tom Doering and Joel Rostberg, Morton County Emergency Management, Attorney Malcolm Brown and Mike Gunsch, Houston Engineering.

The minutes of the regular meeting of April 13, 2017, were presented. Manager Goetzfried moved to approve the minutes, Manager Benz provided a second, all present voted "aye" and the motion passed.

The Meadow Lands 55 Years-Plus Project was discussed. Mr. Barry Jennings, the developer, should be called and told to commence with the clean up by the end of June, 2017.

Bids for the 2017 Sluice Gate Modification Project were opened. There were two bidders: Weisz and Sons bid \$13,625 and Force Enterprise bid \$18,484. Manager Benz moved to accept the bid by Weisz and Sons, Manager Goetzfried provided a second, all present voted "aye" and the motion passed. The Board requested that Engineer Manchester visit with representatives of the State Water Commission regarding the bids and its cost-share before a Notice of Award is sent to Weisz and Sons.

Manager Benz received two bids for filling the culverts along the I-94 Business Loop (Old Hwy 10). Schlosser Excavating bid \$29,500 and Klesalek Excavating bid \$32,250. Manager Goetzfried moved to accept Schlosser Excavating bid and Manager Benz provided a seconded, all present voted "aye" and the motion passed. Engineer Manchester will email the DOT and inform them this work will be done by August 11, 2017. We need to ask them if traffic control is required.

Manager Benz brought up that the letter to the business owners along the Railroad Embankment went out in March to move fences back 15 feet from the toe of the Railroad Embankment and repair toe of embankment. He advised that a second letter will now be sent out.

Manager Benz reported that the District will be buying dirt material from the Mandan Park District and will pay \$50 per load. We will pay them at the end of the year.

Manager Benz advised he is repairing of washouts, ruts and wearing areas where bikes and four wheelers are crossing over the levee.

Attorney Malcolm Brown visited with the Board regarding the quiet title action proceedings in City of Mandan vs Williamsons' and advised that they now want to claim Adverse Possession. Attorney Brown stated the title issue is gone and the City of Mandan is the owner. Discussion was had regarding an offer to settle this matter. There are two issues: how long will it take to get the trailers off the property and who pays to get have them removed. If we let them go to the October 2019 deadline, the Williamsons' would pay for everything per our verbal agreement. One option would be to tell the Williamsons' to move off the two end units, which will be empty by October 17, 2017. If nothing happens the Board of the Lower Heart River Water District could evict them, but there would be some type of legal judgement entered into this matter. Attorney Brown is going to prepare an Agreement stating what would take place if they remove the two trailers and he will also stipulate in his Agreement the procedures with regard the removal of the other two units.

Mike Gunsch of Houston Engineering, discussed the application process with the State Water Commission Task Order #1 Phases 001 and 002. The process will take 5 years up to construction and then 2 years to construct of the project.

Mr. Gunsch also gave the Board a review of the City of Mandan Storm water Project. Lower Heart Water Resource District will be a participant in the project.

The Board told Mr. Schneider that Toman Engineering needs to get the SWIF plan finished.

Manager Benz informed the Board that the mill wall will be caulked as of May 17, 2017. The gate posts that Gervings requested have been installed. He advised that the hydro seeders will be coming in next week.

Mr. Schneider went over Midco's plan to cross the Levee at the Hwy#6 bridge. The Board did not have a problem as long as Midco meets all the USACE requirements.

The Board is looking for their copy (on disk) of the 2016 CEI by the Corps of Engineers.

Mr. Schneider advised that the levee property line along the Sterna property needs to be staked.

Chairman Robinson presented the financial report for the period April 1, 2017; to March 30, 2017, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were

reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, a second was provided by Manger Goetzfried, all present voted “aye”, and the motion passed.

The following vouchers were approved for payment:

DC Bobcat of Mandan	268.13	(Rent tracks-fill holesDC
Auto Starion Financial	180.00	(Payroll taxes
DC Walmart	28.73	(Develop pictures
Auto Montana-Dakota Utilities	159.52	Utilities
DC Runnings	182.34	(Posts, Cables rep gates
DC Dakota Caulking	487.00	(Caulk mill wall
8234 Toman Enginerring Co	700.00	(Retainer, May 17
8235 Toman Engineering Co	2,159.25	(Eng Fee-Levee Work
8236 TECO Associates	100.00	(Ofc Rental
8237 Shirley N. Beechie	44.71	(Ink & Paper
8238 Bismarck Tribune	149.40	(Ad for Bids
8239 Tri-Energy Cooperative	112.02	(LP Gas
8240 Klesalek Excavating	2,360.00	(3 Loads of Gravel
8241 City of Mandan	88.31	(Gas
8242 City of Mandan	108.10	(Water to Shop
8243 Morton County Weed Control	490.00	(Spray for weed control
DC Northern Plains Equipment	32.58	(3 gallons diesel fuel
DC Mandan Post Office	23.46	(6 certified letters
DC Mandan Tire Center	257.60	(Switch tires on leased tractor
8244 Dakota Fence	<u>3,632.50</u>	(Tire for dump truck
TOTAL:	11,563.65	

With no further business to come before the Board, upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting “aye”, the Board meeting adjourned at 3:40 p.m.

Chairman

Secretary

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MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT

June 8, 2017

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, June 8, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management, Mike Gunsch, Houston Engineering, Mitch Bitz and Andy Zachmeier, Morton County Commissioner.

The minutes of the regular meeting of May 18, 2017, were presented. Manager Benz moved to approve and Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

The SWIF plan has been resubmitted to Corps of Engineers for further review. Ryan Buckley from the Corps advised Engineer Manchester that he has 15 SWIF plans and two Letters of Intent that he is reviewing. Of the 15 SWIF plans submitted, five have been approved.

Engineer Manchester spoke with Manager Benz about the photos. They were sent with a letter to Bill Jennings. Photos are of materials or objects that are close to the Toe of the Levee and must be moved. Barry Jennings said cleanup will continue and he plans to hydro-seed next week.

The State Water Commission received the bid documents they requested. Beth Nangare advised that the project can be awarded. Chairman Robinson signed the Notice to Proceed and Engineer Manchester will forward the Notice of Award and the Notice to Proceed to Weisz and Sons.

Discussion was had regard filling the culverts on the Interstate Business Loop (Old Hwy 10). The Corps is requesting a 408 Review. Engineer Manchester will send a typical culvert drawing and a copy of the email with filling instructions provided by Don Moses. Manager Benz reported that the culverts will be filled after July 4th. The work will be done and not postponed. The North Dakota DOT has provided an Agreement to enter and do the work on highway right-of-way which the Board reviewed. The Agreement has specific insurance requirements for the contractor and Highway Signage will be required. Manager Benz is going to meet with Mr. Schlosser of Schlosser Excavating and give him a copy of the Agreement. Toman Engineering will then meet with Mr. Schlosser to come up with a Signage Plan. The DOT provided a signage for closing traffic. The project may not need that elaborate of a plan for just working on the shoulder of the highway. Manager Benz will visit with Mr. Schlosser about the DOT insurance requirement and the signage.

Interstate Engineering has questions about the District's easements on the Emil property which was purchased by Jan Fasching. Engineer Manchester will visit with Interstate Engineering.

Manager Benz mentioned that Mr. Schlosser of Schlosser Excavating will be demolishing the building on the Emil lot on Monday.

Mitch Bitz was in and spoke to the Board about repairing the toe of the Railroad Embankment. The concrete will be taken out and the area will be filled and seeded. Toman Engineering will pay for the repair.

The Board members were given a CD containing the Continuing Eligibility Inspection – 2016 (CEI-2016) done by the Corps.

Chairman Robinson asked if anyone had heard anything from Attorney Malcolm Brown about the agreement he is working on for the removal of the trailers, but no one has heard from him.

Mike Gunsch said he was out of town.

Mike Gunsch gave the Board an update on the application process with the State Water Commission. A copy of the update is attached to the minutes. If we can get partners together Mike would like to collect more data for the Geomorphology Study. Flow data in the present study was collected at high river flows. Mr. Gunsch would like to collect data for flow at around 20,000 cfs in the fall. Attorney Malcolm Brown is reviewing Houston Engineering's Contract. Mr. Gunsch also gave the Board a review of the City of Mandan Storm Water Project. He reviewed how water may be directed into the Lower Heart Interior Drainage Areas. Alternatives are still being looked at.

HDR submitted an update report and a request for information for the updating of the O & M Project and the Board reviewed the update. A copy of his report and request for information are attached.

Chairman Robinson would like Toman Engineering to complete the Sunny Unit Survey in June.

There was discussion about the exposed gas main on Third St. SW. The utility is not willing to cover the lines.

Manager Benz had some photos of the cut along the toe of the Railroad Embankment by Randy Rhone's building. He spoke with the people in the building and found out that the owners are in South Dakota and that is where the letter was sent. Engineer Manchester will visit with Randy Rhone about the cut in the toe.

The City of Mandan is no longer going to be allowed to dump snow on the Lower Heart property by the shop. They have been asked to clean the lot after the snow melts and have failed to do it for the past two years and Gary is tired of cleaning up after them.

Century Link ripped out our cable on the dike when they were working on their project on the I-94 Business Loop. Engineer Manchester will call Cody Pulkrebek.

Other Business:

Tom Doering mentioned that the Custer Health has funds available to remove abandon Mobile Homes. See attached email for details.

Treasurer Shirley Beechie has informed the Board that she is going to retire. Her daughter-in-law will be taking over her position. She also told the Board that Wells Fargo Bank refuses to cover more than \$250,000 in investments, and Lower Heart has \$270,000 Certificate of Deposit. It was decided to take \$20,000 out of the Certificate of Deposit and put it in one of the other banks. We also have some bills coming up that funds from the bank will be needed.

Chairman Robinson presented the financial report for the period May 1, 2017 to May 31, 2017, as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial

reports and as so verified, the reports were reviewed and approved by the Board and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report seconded by Manger Goetzfried and all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

Auto Starion Financial	180.00(Payroll Taxes
8245 William Robinson	277.05(Mtgs
8246 Gary Benz	277.05(Mtgs
8247 Tony Goetzfried	277.05(Mtgs
8248 Shirley N. Beechi	538.36(Sal Apr May June 17
8249 Mariann L. Lang	551.45(Sal Apr May June 17
8250 Gary Benz	3,750.00(Cont Fee Apr May June 17
8251 Toman Engineering Company	700.00(Retainer, June 2017
8252 Toman Engineering Company	876.25(Eng Fees, Levee work
8253 TECO Associates	100.00(Ofc Rent
8254 Landscapes by Leingang	3,000.00(Hydro-seed levee
8255 Mandan Municipal Landfill	16.00(Dispose of tree material
8256 City of Mandan	130.25(Water to Shop
8257 City of Mandan	210.14(Fuel
8258 HUB International	1,684.00(Insurance
DC Northern Plains Equipment	351.22(Parts for Mower
DC Montana-Dakota Utilities	81.18(Utilities
Total:	<u>\$12,953.07</u>

With no further business to come before the Board. Upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting "aye", the Board meeting adjourned at 4:00 p.m.

Chairman

Secretary

County Aud

**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
July 13, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, July 13, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Ronald W. Manchester, Toman Engineering Company, Tom Doering, Morton County Emergency Management, Andy Zachmeier, Morton County Commissioner, Mr. Pat Koski, Mr. Gary Schmacher, Mr. Justin Messner and Mr. Gary Simmons from the Department of Emergency Services of North Dakota.

The minutes of the meeting of June 8, 2017, were presented. Manager Benz moved the approval of the minutes, Manager Goetzfried provided a second, all members voted "aye", and the motion passed.

Engineer Manchester reported on the following items:

Shirley Beechie presented her resignation as Treasurer for the Lower Heart River Water Resource District. She has been the Treasurer of the District for more than 40 years. Manager Benz made the motion reluctantly to accept her resignation, and a second was provided by Manager Goetzfried, all present vote "aye" and the motion passed.

Chairman Robinson introduced Carol Beechie to the Board members as the candidate for Treasurer. Manager Goetzfried moved to hire Carol Beechie as Treasurer for the Lower Heart River Water Resource District, Manager Benz provided a second, all present voted "aye" and the motion passed. Shirley Beechie advised that she would assist Carol until she was comfortable with doing the work as Treasurer.

Mr. Justin Messner and Mr. Gary Simmons from the Department of Emergency Services of North Dakota met with the Board. They were given an update on the Levee Recertification Project. The Geomorphology Project was also discussed. Mr. Messner is going to look into the possibility of their participating in the funding of the project. He will advise Tom Doering of their decision and Tom will then contact personnel of the District regarding the funding possibility tomorrow.

Mr. Pat Koski and Mr. Rod Rick joined the meeting. Mr. Koski would like to place more rip-rap along the property he is developing near the Missouri River north of the Express Way Bridge. He was informed by the Corps of

Engineers that a 404 Permit needed to be sponsored by the Lower Heart River Water Resource District and that he would also need a 408 review of his project by the Corps of Engineers Omaha District. Manager Goetzfried move to appoint Engineer Manchester to act as the Board's representative for the 404 Permit request, Manager Benz provided a second, all members voted "aye" and the motion passed. They will also support his request for the 408 review.

Mr. Gary Schumacher and his brother Jeff Schumacher joined the meeting to ask the Board for permission to move buildings temporarily onto property located East of Highway 1806 South of the Heart River and across from the old landfill. According to the FEMA Flood Map there is an area on the property that is not in the Floodway. Manger Benz advised that they are looking at the possibility of developing a primitive campground on the site and now they would like permission to move two buildings onto the area that is shown to be out of the Floodway. If the project doesn't happen or if there are complaints about the buildings they will move them off the property. Chairman Robinson asked if there are plans to install water, sewer and power. Engineer Manchester advised the Board that no design work has been done. The first step they need to do is look at the site elevations to be sure there is an area which can be elevated, if necessary, to 2 feet above the 100 year base flood elevation. Manager Benz made a motion to grant permission to move the buildings onto the property on a temporary basis. Manager Goetzfried had reservations about allowing the move. Chairman Robinson the provided a second and upon a 2 to 1 vote, the motion passed.

The SWIF Plan has been sent to the Division and Headquarters at the Corps for their final review.

The Corps of Engineers will be here on August 28, 29 and 30 for their annual inspection.

There are two areas in the Sunny Unit that is yet to be surveyed. Personnel at Toman Engineering have contacted an official of the Railroad Company, but they did not return the phone calls. It was determined that they would proceed and finish the survey.

The Corps of Engineers is asking for additional information on the Culvert Abandoning Project. They are not calling this a 408 request. They said they are providing technical support and have some questions. Engineer Manchester will answer the questions and call Rory Schlosser of Schlosser Excavating as he was talking about starting the work next week.

Chairman Robinson went over the estimated cost for the addition work on the Geomorphology Study. Lower Heart's share of the cost would be

\$15,000. Manager Benz moved to approve the funding request and Manager Goetzfried provided a second, all members present voted "aye" and the motion passed.

Manager Benz advised that Randy Rhone has not moved his equipment and the Bowers have not done any work on Mitch Bits area. Also nothing has been done at the end of the railroad embankment that was disturbed by the 55+ development. Manager Benz spoke with a representative from Swenson & Hagen about the cleanup and they said they would take care of the cleanup. Engineer Manchester will call Randy Rhone, the Bowers and Swenson & Hagen and remind them that the work needs to be done before the Corps of Engineers does their inspection in August.

County Commissioner Zachmeier informed the Board that he spoke with Randy Willson who asked about getting Lower Heart meeting minutes. He is concerned about the proposed Levee Recertification Project and its effects on his property. Engineer Manchester told Commissioner Zachmeier that Mr. Wilson did call and talk to him about the status of the project. Chairman Robinson also spoke with Mr. Wilson and advised him that the Board understands their situation wherein they are going to retire soon and are wondering what to do with the property.

County Commissioner Zachmeier asked about putting the Lower Heart minutes on the Morton County Website. He also mention that the County Human Resources person could assist us with finding a new Maintenance Personnel.

Carol Beechie brought up the need for a new laptop computer and an upgrade for the quick books programing. Commissioner Zachmeier suggested the Board check with NRG @ Association of Counties for a computer and software. Chairman Robinson will go to the site and make a determination.

Chairman Robinson presented the financial report for the period June 1, 2017 to June 30, 2017 as presented by Shirley Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and approved by the Board, the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, Manager Gpetzfried provided a second, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

DC	NAPA	70.46(Fittings and hose
DC	Northern Plains Equipment	153.94(Kit, Blade, Fluid

DC Auto Starion Financial	180.00(Payroll taxes
8259 Toman Enginerring Co	700.00(Retainer, July 2017
8260 TECO Associates	100.0(Ofc Rent
8261 Toman Engineering Co	9,414.00(Eng Fee-Levee Work
8262 HUB International	507.00(Insure Rental Tractors
8263 Tri-Energy Cooperative	111.90(LP Gas
8264 Fire & Tornado Fund	160.49(Liability Insurance
8265 ND Work Safety & Insurance	374.83(Employees Insurance
8266 St Tax Commissioner	35.00(State Taxes
8267 HDR Engineering, Inc.	905.00(Project 10057430 #1
8268 Houston Engineering, Inc	1,891.00(Levee Cert Project
8269 Brown 8270 & Saeger	33.18(Minute paper
8270 Voided-Not our bill	-----
8271 City of Mandan	333.33(Gas
8272 Wells Fargo	45.00(Safe Deposit Box Rent
Auto Montana-Dakota Utilities	<u>81.16(Utilities</u>
 TOTAL:	 15,096.29

With no further business to come before the Board, upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting "aye", the Board meeting adjourned at 4:30 p.m.

Chairman

Secretary

Cnty aud.

**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
August 10, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, August 10, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management and Michael Gunsch and Gregg Thielman, Houston Engineering.

The minutes of the meeting of July 13, 2017, were presented. Manager Benz moved to approve the minutes and Manager Goetzfried provided a second, all members present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

Houston Engineering presented an update on the Heart River Hydraulics Assessment. Using the Bolton-Menk model, Houston Engineering is looking at a channel across the Gerving property. The preliminary design is based on the channel taking water at the 10-year flood event level and higher. The exact location and size are yet to be determined.

There was discussion about whether the trolley line was going to stay in operation. The channel location could be changed if an opening through the trolley embankment could be dug. Chairman Robinson was going to visit with Jim Beck about how long he planned to continue operating the trolley line. Engineer Manchester will speak with the Gervings and Schumachers about the channel crossing their properties.

Representatives from Houston Engineering also spoke with the Board about the Geotechnical Evaluation that is needed. Soil borings are required along the Levee where any proposed work will be done. The soils information is needed to ensure that the structural integrity of the Levee will not be compromised by any of the proposed construction work. There was discussion with regard to the land fill area. Construction work must be handled carefully with any excavation work as not cause the buried refuse to slide into the river due to a bank failure. This same scenario applies to excavating along the Levee. Also addressed, should the boring work include 3rd Street and the railroad embankment. There was a consensus that those two areas should be included.

Michael Gunsch, Houston Engineering, gave an update on the Geomorphology Study.

The USGS will be working with the State Water Commission to obtain funding for the data collection only. They plan to collect data from just above Double Ditch to just below the sand bar blocking the Heart River.

The Lower Heart Budget for 2018 was prepared by Mariann Lang, Ron Manchester and Chairman Bill Robinson. The budget was reviewed by the Board. Manager Goetzfried moved to accept the 2018 Budget as presented and Manager Benz provided a second, all present voted "aye" and the motion passed.

Engineer Manchester advised the Board that Century Link was now changing its plan and going on private property outside the Levee (highway right-of-way) and would have only one Levee (highway) crossing. They need to get their project constructed soon as they have a time restraint on federal funds for the project. The Board and particularly the Chairman is very concern that something will again get constructed without the proper permission from the Corps of Engineers and then the Lower Heart River Water Resource District will be responsible for getting the deficiency resolved which will come up in an annual inspection. The Board advised that they do not want to be put in this position. The Board requested Engineer Manchester to put together a letter for the Corps approving this change in plan.

Engineer Manchester spoke with Barry Jennings, a developer in the area, about the railroad embankment by the Memorial Highway closure structure. They are going to meet and discuss the repair so the work can be done before the August 28, 2017 inspection.

Randy Rhone was contacted about moving material and equipment 15 feet from the toe of the Levee. Jeff Bowers was also contacted about doing the work at Mitch Bitzs' property. He explained that there will be a Corps of Engineers' inspection on August 28, 2017, and we would like the work done prior to that date.

The comments from Corps Headquarters on the SWIF Plan have been received. The Board is concerned about the length of time it is taking to get the plan approved. They requested that Engineer Manchester submit the revised plan addressing Corps Headquarters comments in two weeks and transmit a copy to the members of the Board on the submittal.

Nothing has been received from the Corps regarding our Culvert Abandonment Project. Chairman Robinson mentioned that he also tried to contact Jen Gitt. Chairman Robinson and Engineer Manchester will continue to get a response from Jen on the Project.

Tom Doering informed the Board that he attended the Table Top Exercise at Heart Butt Dam. The leak in the Dam is scheduled for repair in 2019. In May of 2019 the drawing down of the water level will begin and construction is scheduled to start in August of 2019.

Other Business:

There was discussion about a new laptop computer and software for our new Treasurer, Carol Beechie. Manager Benz moved to allow \$1,500 for the expenditure of a new Laptop Computer and Software, Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

The Morton County Human Resources Director is working on the request for a new Maintenance Manager to replace Gary Benz upon his retirement.

Chairman Robinson presented the financial report for the period July 1, 2017 to July 31, 2017, as prepared by Treasurer Carol Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed by the Board. Manager Benz moved to approve the financial report, a second was provided by Manager Goetzfried, all present voted "aye", and the motion passed. The original report was ordered to be filed with the secretary and a copy filed with the County Auditor.

The following vouchers were approved for payment:

DC Runnings	69.98(Parts for mower
Auto Starion Financial	180.00(Payroll taxes
8273 Toman Enginerring Co	700.00(Retainer, Aug 17
8274 TECO Associates	100.00(Ofc Rental
8275 Toman Engineering Co	3,472.25(Eng Fee-Levee Work
8276 Houston Engineering	8,883.75(Eng Fees-Levee Project
8277 HDR Engineering	2,857.50(O&M Manual
8278 Tri-Energy Cooperative	119.39(LP Gas
8279 Mariann L. Lang	162.90(Printer
8280 Crowley Fleck	335.00(Atty Fees
8281 City of Mandan	144.49(Gas
8282 City of Mandan	26.70(Water to Shop
DC Quality Service	216.38(Rep Air Conditioner-Truck
DC Runnings	31.71(Parts for Chain Saw
DC Northern Plains Equipment	32.58(Diesel Fuel-Exhaust Add.
Auto Montana-Dakota Utilities Co	<u>89.67(Utilities</u>

TOTAL: 17,422.29

With no further business to come before the Board, upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting "aye", the Board meeting adjourned at 4:15 p.m.

Chairman

Secretary

**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
September 14, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday September 14, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management, Morton County Commissioner, Andy Zachmeier and Steve Robinson and Brent Hanson from US Geological Survey.

The minutes of the meeting of August 10, 2017, were presented. Manager Goetzfried moved to approve and Manager Benz provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

Chairman Robinson and Engineer Manchester presented the 2018 Budget for Lower Heart Water Resource District. The budget request was for \$207,000.00 and was presented to the Board of Commissioners of Morton County. They advised that they would like us to stay at the 2016 Budget level of \$191,000.00. Our request was an increase of about 6% which they thought was too high. Commissioner Zachmeier advised the other Commissioners that Levee System repairs were being made and Lower Heart is working on the Levee Re-certification. The Commissioners did say they would be able to do a 3% increase over the 2016 Budget. We were informed that the 3% increase was approved and Lower Heart will receive \$196,730.00 for their 2018 Budget.

Engineer Manchester met with Mr. Barry Jennings on site at the Stop Log Structure on Memorial Highway and went over what he planned to do to repair the old Railroad Embankment.

Engineer Manchester has not yet met with the Schumachers or the Gervings about the proposed drainage channel across their properties.

There was no report from Houston Engineering on the Levee Re-certification Project. They requested the Board meet at their office at 10:00 a.m., on September 21, 2017 for a project update.

Engineer Manchester met with Mr. Rod Rick with regard to the 408 Corps of Engineers Review and 404 Permit required to place rip-rap along

property being developed by Mr. Pat Koski north of the Expressway Bridge. Mr. Koski and Mr. Rick were at the Board's July meeting. They will be modifying their bank stabilization to include the residence adjacent to their property on the north. Mr. Rick was given Jennifer Gitts contact information and will be copied on the 408 material submitted for review.

The Sluice Gate valve will be shipped on September 22, 2017. Weisz and Sons estimate it will take about a week to install it.

Mr. Steve Robinson and Mr. Brent Hanson from the USGS presented the cost for the gaging stations. Mr. Robinson went over the cost for the Board. Mr. Hanson presented information on the gaging stations. Mr. Robinson presented information on rain gage collection which could be provided at the gaging station locations. The cost would be \$1,000 for the first year and \$500 per year thereafter. Chairman Robinson asked Steve Robinson about the placement of the flow measuring devices for the Geomorphology Study. He advised that the gages have been placed and will be left in the Missouri and Heart Rivers until the end of October or the first part of November. They will be placed back in the Rivers after the ice goes out in the spring.

Steve Robinson also advised the Board about the Water Alert Application that was available to set a river elevation at any gaging station and get an alarm when the river reaches that elevation. He will send the Board information on the Application.

We have received eight (8) comments from the Corps on the SWIF plan. The funding question was discussed and they wanted some specific information which will be difficult to provide. Engineer Manchester indicated that possibly setting up a reserve plan. Chairman Robinson was going to call the Corps and ask them for the particulars in the information they would like us to provide.

Other Business:

Manager Benz believes that two units are to be removed from the mobile home park by the 18th of October. Chairman Robinson is going to call Attorney Malcolm Brown to verify what Manager Benz believes is to be accomplished in the removal of the two units.

The Morton County Human Resources Director is working on the request for a new Maintenance Personnel to take the job held by Gary Benz. We have no information from her with regard to an employee. Chairman Robinson is going to visit with her.

Tom Doering is waiting for the scope of work to be determined for the Grant Application he is preparing for the ND Department of Emergency Services.

Chairman Robinson spoke with North Dakota Parks and Recreation about the Trolley Line and he has plans to keep operating the Trolley Line.

Manager Benz has serviced the storm water pumps and the gate structures.

The Lower Heart River Water Resource District's Audit Report for December 31, 2016, was received from the firm of Mahlum Goodhart, PC, Certified Public Accountants. The Board members will review the Audit.

Chairman Robinson presented the financial report for the period August 1, 2017 to August 31, 2017, as presented by Carol Beechie for the Board of Managers. The Chairman verified the financial reports and as so verified, the reports were reviewed and Manager Benz moved to approve the financial report, a second was provided by Manager Goetzfried, all present voted "aye", and the motion passed approved. The original minutes was ordered to be filed with the secretary and a copy filed with the County Auditor.

The following vouchers were approved for payment:

Auto Starion Financial	148.37	(Payroll Taxes)
Auto Runnings	22.38	(Supp-Serv flood gates)
Auto Quality Service Repair	88.38	(Cutout switch Pick-up)
8283 William Robinson	369.40	(Mtgs)
8284 Gary Benz	277.05	(Mtgs)
8285 Tony Goetzfried	277.05	(Mtgs)
8286 Carol Beechie	538.36	(Sal July Aug Sept)
8287 Mariann L. Lang	551.45	(Sal July Aug Sept)
8288 Gary Benz	3,750.00	(Cont July Aug Sept)
8289 Toman Engineering Co	700.00	(Retainer, Sept 2017)
8290 TECO Associates	100.00	(Ofc Rent)
8291 Toman Engineering	1,063.75	(Eng Fee-Levee Work)
8292 ND One Call	2.00	(Locate Request)
8293 HDR Engineering	4,000.74	(O&M Recertification)
8294 Dakota Fire Station, Inc.	17.00	(Ck Fire Extinguisher)
8295 Malhum Goodhart	4,475.00	(2016 Audit)
8296 City of Mandan	230.60	(Fuel)
8297 City of Mandan	62.85	(Water to Shop)
Auto NAPA Auto Parts	51.68	(Parts GMC Truck <i>51.68 ML</i>)
Auto Montana-Dakota Util	80.58	(Payroll Taxes)

TOTAL:

16,806.82 *64 ML*

Cnty and

**MINUTES OF MEETING
OF THE BOARD OF MANAGERS
OF THE LOWER HEART RIVER WATER RESOURCE DISTRICT
October 12, 2017**

The Board of Managers of the Lower Heart River Water Resource District of Morton County, met in regular session at 2:00 o'clock p.m., on Thursday, October 12, 2017, at the office of Toman Engineering Company, 501 1st Street NW, Mandan, North Dakota. The following members were present: Chairman William Robinson and Managers Gary Benz and Tony Goetzfried. Also present were Ronald W. Manchester, Toman Engineering, Tom Doering, Morton County Emergency Management, Morton County Commissioner, Andy Zachmeier and Michael Gunsch and Gregg Thielman, Houston Engineering, Inc.

The minutes of the meeting of September 14, 2017, were presented. Manager Benz moved to approve the minutes and Manager Goetzfried provided a second, all present voted "aye" and the motion passed.

Engineer Manchester reported on the following items:

Engineer Manchester met with the Gerving Brothers and discussed the plan to construct a large ditch across their property along Highway 1806. They would have to sell the property because it would end up splitting the farmstead. This piece of property is one of their most productive pieces of land and could be sold as valuable land.

Weisz and Sons plans on starting the Sluice Gate Installation next week.

Engineer Manchester and Chairman Robinson are working on the payment and scheduling sections of the SWIF Plan.

Knife River Construction is going to submit a new mix design for our culvert removal project. Their new mix design will have to be submitted to the Corps of Engineers for its review.

The Trackside Subdivision owners poured concrete for a new building and it was questionable as to whether it is in the floodway. FEMA maps were enlarged and it was determined that the structure is not in the floodway.

The north most positioned mobile home that is encroaching on the interior drainage system is in very poor structural condition. Windows are broken and a portion of the roof has collapsed. According to our agreement the trailers are not scheduled to be moved until next year. Manager Benz is

going to visit with the Mandan Building Inspector and ask him to look at the mobile home to see if they can order it moved because of its condition.

Engineer Manchester introduced Michael Gunsch and Gregg Thielman from Houston Engineering. They provided a hand-out to the Board titled "Lower Heart WRD, Board Meeting Status Update", dated October 12, 2017. They went through the content of the document with the Board. They also provided the Board with copies of the Lower Heart Flood Control Project Technical Memorandum, which they reviewed with the Board. The final item presented by Houston Engineering was the Lower Heart Flood Control Project FEMA Grant Memorandum. This memorandum discussed the grant scope of services which Mr. Gunsch went through with the Board.

Other Business:

The Board has reviewed the Lower Heart River Water Resource District Audit Report dated December 31, 2016, prepared by Mahlum Goodhart, PC-Certified Public Accountants. Manager Goetzfried moved to accept the report, Manager Benz provided a second, all present voted "aye" and the report was accepted.

Manager Benz reported that he returned the rental tractor and canceled the insurance on the tractor.

Chairman Robinson presented the financial report for the period September 1, 2017, to September 30, 2017, as presented by Carol Beechie for the Board of Managers. The Chairman verified the financial reports and the original was ordered to be filed with the secretary and a copy filed with the County Auditor. Manager Benz moved to approve the financial report, Manager Goetzfried provided the second, all present voted "aye", and the motion passed.

The following vouchers were approved for payment:

Auto Northern Plains Equipment	27.45(Rep Wing Mower
Auto Mandan Tire Center	225.80(Switch Tires
Auto Starion Financial	180.00(Dep Payroll Taxes
8298 Toman Engineering Company	700.00(Retainer, Oct 2017
8299 TECO Associates	100.00(Ofc Rent
8300 Toman Engineering Company	1,479.75(Eng Fees, Levee work
8301 Mariann L. Lang	53.34(Reimburse-Postage
8302 Mandan Park District	22,605.35(Proj 8794
8303 US Geological Survey	13,370.00(Jt Funding Agreement
8304 Houston Engineering, Inc.	26,646.50(Recertification Project
8305 HDR Engineering, Inc.	4,907.50(O&M Manual Update

8306 State Tax Commissioner	35.00(Pay State Taxes
8307 Bullinger Tree Service	1,000.00(Remove Trees
8308 City of Mandan	303.74(Fuel
8309 City of Mandan	121.15(Water to Shop
Auto Insomniacs Computer	1,115.06(Computer
Auto Montana-Dakota Utilities	<u>82.92(Utilities</u>
Total:	72,953.56

With no further business to come before the Board, upon a motion duly made by Manager Goetzfried and seconded by Manager Benz, all present voting "aye", the Board meeting adjourned at 4:00 p.m.

Chairman

Secretary